

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

SAMUEL E. HALEY, JR.,)
)
Plaintiff,)
)
vs.) **No. 1:09-CV-144-SNLJ**
)
CMS, et. al.,)
)
Defendants.)

MEMORANDUM AND ORDER

This matter is before the Court pursuant to several motions recently filed by plaintiff for appointment of counsel, #157, #163, and #167, and for extensions of time to respond to defendants' motions for summary judgment, #175 and #176. In his motions filed on January 25, 2012, #175 and #176, plaintiff also requests that the Court hold a hearing regarding settlement or settlement conference.

Several months ago, the Court amended its Case Management Order to accommodate the parties' various filing requests. *See* #118 (Order of August 12, 2011). Pursuant to that Order, all dispositive motions were to be fully briefed by November 23, 2011. Upon granting further extensions, the record reflects that the parties have now filed cross-motions for summary judgment. In order to simplify and consolidate the extension requests for these dispositive motion, the Court will order that all responses to pending dispositive motions are due by **Friday, February 24, 2012**, and all replies thereto are due by **Friday March 9, 2012**. These deadlines will only be further modified by a showing of exceptional circumstances.

Plaintiff's recent motions for appointment and/or re-appointment of counsel, although lengthy, fail to demonstrate why the Court should reconsider its prior ruling on this matter. Thus

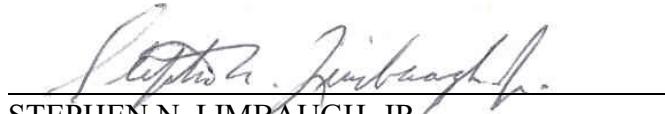
far, this Court, as well as the Eighth Circuit Court of Appeals, have patiently considered and reconsidered plaintiff's repeated requests for appointment and re-appointment of counsel, and this Court even stayed its prior order denying plaintiff's request in order to allow him the opportunity to reconcile and cooperate with his appointed attorney. Plaintiff recalcitrantly refused to do so and instead filed a statement reciting a litany of unfounded grievances with his attorney, #109, whereupon the Court granted counsel's motion to withdraw. Plaintiff's recent pleadings fully demonstrate his continued ability research his and defendants' claims and fail to demonstrate how his alleged medical conditions prevent him from proceeding. In accordance with its Order of June 29, 2011, the Court again finds that plaintiff is able to proceed without the assistance of counsel – and, in fact, insists on doing so – and will deny his pending motions for appointment and/or re-appointment of counsel.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motions for extension of time to respond to defendants' motions for summary judgment, #175 and #176, are GRANTED in part and DENIED in part. All responses to pending dispositive motions are due by **Friday, February 24, 2012**, and all replies thereto are due by **Friday March 9, 2012**. Plaintiff's request for a hearing regarding settlement or settlement conference is DENIED.

IT IS FURTHER ORDERED that plaintiff's motions for appointment of counsel, #157, #163, and #167, are DENIED.

Dated this 31st day of January, 2012.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE